



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

*Promoting the wise use of land
Helping build great communities*

MEETING DATE October 13, 2016	CONTACT/PHONE Jo Manson 781-4660/jmanson@co.slo.ca.us	APPLICANT Coker Ellsworth Development LLC	FILE NO. SUB2004-00160 Tract 2424
SUBJECT A request for a first time extension by Coker Ellsworth Development LLC for Vesting Tentative Tract Map 2424 and Conditional Use Permit to subdivide an existing 1.69 acre parcel into a nine lot planned development with seven residential lots varying in size from 1,492 square feet to 2,224 square feet, a mini-storage lot of 34,500 square feet, and a non-buildable lot of 26,685 square feet to be held in common undivided interest by the owners of the other eight lots. The project includes seven two-story townhouses varying in size from 1,240 square feet to 1,522 square feet each and each including an attached garage of 494 to 519 square feet, two mini-storage buildings with a total structural area of 23,432 square feet and a mini-storage office of approximately 264 square feet. The project will include a retention basin, three on-site roadways, extension of utilities and a 120-foot buffer measured from the southerly/southeasterly property line which is designated as a no habitable area. The project will result in the disturbance of the entire 1.69-acre parcel. The project site is within the Residential Multi-Family land use category and is located on the east side of South Halcyon Road, at Temple Street, approximately 400 feet south of The Pike, south of the City of Arroyo Grande. The site is in the San Luis Bay Inland Sub-area in the South County Planning Area.			
RECOMMENDED ACTION Approve the first time extension request for Vesting Tentative Tract Map 2424 and Conditional Use Permit.			
ENVIRONMENTAL DETERMINATION A Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on November 13, 2008 for this project. The Negative Declaration was approved by the Board of Supervisors on December 16, 2008.			
LAND USE CATEGORY Residential Multi-Family/Agriculture	COMBINING DESIGNATION Airport Review / Flood Hazard	ASSESSOR PARCEL NUMBER 075-011-041	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Not applicable			
LAND USE ORDINANCE STANDARDS: Agricultural Buffer, Height, Setbacks, Density, Intensity, Parking, Landscape, Fencing, Screening, Access and Drainage			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Multi-Family / mobile home park East: Agriculture / vegetable row crops South: Agriculture / vegetable seed crops West: Residential Single Family / Halcyon Temple			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Vesting tentative tract map and conditional use permit were originally referred to: City of Arroyo Grande, Public Works, Environmental Health, Ag Commissioner, County Parks, Cal Fire, Oceano Community Services District, ALUC, APCD, Cal Trans, PG&E, Pacific Telephone, So. Cal. Gas, Charter Cable TV, and the Postal Service			
TOPOGRAPHY: Moderately sloping		VEGETATION: Grasses	
PROPOSED SERVICES: Water supply: Community System (OCSD) Sewage Disposal: Community system (OCSD) Fire Protection: Oceano Community Services District (OCSD)		ACCEPTANCE DATE: N/A	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Tract Map 2768 and Conditional Use Permit were approved by the Board of Supervisors on December 16, 2008 and is set to expire on December 16, 2016. On July 20, 2016, the applicant requested the **first one year time extension and paid the extension application fee**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related conditional use permit if it is required as a part of the subdivision process).

Vesting Tentative Tract Map 2424 and Conditional Use Permit is a request by Coker Ellsworth Development LLC for Vesting Tentative Tract Map 2424 and Conditional Use Permit to subdivide an existing 1.69 acre parcel into a nine lot planned development with seven residential lots varying in size from 1,492 square feet to 2,224 square feet, a mini-storage lot of 34,500 square feet, and a non-buildable lot of 26,685 square feet to be held in common undivided interest by the owners of the other eight lots. The project includes seven two-story townhouses varying in size from 1,240 square feet to 1,522 square feet each and each including an attached garage of 494 to 519 square feet, two mini-storage buildings with a total structural area of 23,432 square feet and a mini-storage office of approximately 264 square feet. The project will include a retention basin, three on-site roadways, extension of utilities and a 120-foot buffer measured from the southerly/southeasterly property line which is designated as a no habitable area. The project will result in the disturbance of the entire 1.69-acre parcel.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Planning Commission and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was December 16, 2010. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **first discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. This extension does not apply to Vesting Tentative Tract 2424 and Conditional Use Permit as the project was approved after July 15, 2008.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Vesting Tentative Tract 2424 and Conditional Use Permit were extended to December 16, 2012.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Vesting Tentative Tract 2424 and Conditional Use Permit were extended to December 16, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 15, 2013 and will expire between July 15, 2013 and January 1, 2016 – extends the tentative map twenty four (24) months. Vesting Tentative Tract 2424 and Conditional Use Permit were extended to December 16, 2016.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Planning Commission that the **first one year time extension** be granted to December 16, 2017 subject to the conditions of approval set by the Board of Supervisors on December 16, 2008 in accordance with Resolution No. 2008-451.

ATTACHMENTS

Attachment 1 - Project Graphics
Attachment 2 - Board of Supervisors Resolution 2008-451

Staff report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner.